
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY SCOTT REESE,

Defendant.

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NO. 1:20-CR-81-MAC

ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

Before the court is a report and recommendation of the United States magistrate judge regarding the Defendant, Jeffrey Scott Reese's, competency for trial. Reese is charged in two counts of the indictment: violations of 18 U.S.C. § 2261A ("Stalking") and 18 U.S.C. § 875 ("Threatening Communications"). On May 21, 2021, the magistrate judge submitted a report recommending that Reese be found not competent to proceed and committed for further medical evaluation in an attempt to restore his competency. (Doc. No. 54.)

A magistrate judge's recommendations are entitled to *de novo* review by the United States District Judge, upon proper objection by either party. 28 U.S.C § 636(b)(1)(C). Reese filed a number of *pro se* motions that the court construes as objections to the magistrate judge's Report and Recommendation. (Doc. Nos. 55-57.) This court, therefore, conducts a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). The court has conducted such review, and after careful consideration, concludes that Reese's objections are without merit.

The court finds by a preponderance of the evidence that Reese is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is

unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense and recommends that Reese be committed to the custody of the Attorney General for hospitalization for such a reasonable period of time, not to exceed four (4) months, as is necessary to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the trial to proceed, in accordance with 18 U.S.C. § 4241(d)(1). The director of the facility where Reese is hospitalized shall promptly file a certificate with the clerk of court when he/she determines that the Defendant has recovered to such an extent that he is able to understand the nature and consequences of the proceedings against him and to assist properly in his defense, pursuant to 18 U.S.C. § 4241(e). It is therefore

ORDERED that the Defendant's objections are **DENIED** and the report and recommendation of the United States magistrate judge on the Defendant's competency to stand trial is **ADOPTED**. The speedy trial time shall be excluded from October 9, 2020 until the date of this order.

SIGNED at Beaumont, Texas, this 1st day of June, 2021.

A handwritten signature in cursive script, reading "Marcia A. Crone".

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE